

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of	:	Customer Number: 41552
	:	
Chee, Mark S., et al.	:	Confirmation Number: 7034
	:	
Application No.: 09/513,362	:	Tech Center Art Unit: 1637
	:	
Filed: February 25, 2000	:	Examiner: T. Strzelecka

For: NUCLEIC ACID SEQUENCING USING MICROSPHERE ARRAYS

**CERTIFICATE OF ELECTRONIC TRANSMISSION**

I hereby certify that this correspondence is being electronically-transmitted to the United States Patent and Trademark Office on November 30, 2007.

/Carrie Hines/

Carrie Hines

**NOTICE OF APPEAL  
FROM THE PRIMARY EXAMINER  
TO THE BOARD OF APPEALS**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated May 30, 2007 of the Primary Examiner finally rejecting claims 1-50.

Appeal Fee: \$255.00

☒ Charge to Deposit Account No. 502624.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 502624 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

/Astrid R. Spain/

Astrid R. Spain  
Registration No. 47,956

**Please recognize our Customer No. 41552 as  
our correspondence address.**

4370 La Jolla Village Drive, Suite 700  
San Diego, CA 92122  
Phone: 858.535.9001 ARS:cjh  
Facsimile: 858.597.1585  
**Date: November 30, 2007**